Remarks

Applicants amend the claims to replace the term "recipient server(s)" with "client terminator unit(s)". Basis for this is to be found at page 8, line 14 and onwards in the specification. It is submitted that this amendment raises no new issues since the Examiner has already argued that Blahut (US 5,446,490) reads on to first and second recipient subscriber units. Applicants also delete the previous amendment to claim 1 in relation to the content providing server being responsive to a request. Clearly, this raises no new issues. Therefore, no new issues are raised by these amendments, and this response should be entered.

In paragraph 6 of the Office Action, the Examiner rejects claim 1 under 35 USC 103(a) as being unpatentable over Blahut in view of Budow (US 5,521,631), Lewis (US 6,009,099) and Hendrix. The inclusion of Budow is moot in view of the above claim amendments and will not be addressed further. Applicants therefore anticipate that the Examiner will initially consider that claim 1 remains obvious over Blahut in view of Lewis and Hendrix. Applicants respectfully disagree for the following reasons.

The Examiner equates the content providing server of claim 1 with programming center 121 and program library 122 of Blahut. Applicants point out that programming center 121 and program library 122 correspond not to content providing server 102 of the present invention but to content server cache 212. This is because the function of these entities is not to serve interactive media but to store media for use by an interactive server. In other words, it is ITV server 120 that corresponds to content providing server 102 of the present invention.

Furthermore, the Examiner equates the distribution server of claim 1 with ITV server 120 and head end equipment 101 of Blahut. However, as presently claimed, the

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distribution server is arranged to generate and transmit the first and second onwards data streams in response to control data and offset in time with respect to each other by a respective offset value indicated in the control data. The Examiner admits (page 7, lines 2-3) that Blahut fails to disclose that the distribution server receives control data from which indicates the offset value. The Examiner argues that Hendricks teaches an "Operations Center that will transmit control information (control data) pertaining to near video on demand (such as offset values; column 4, lines 8-24) prior to transmission to a cable head end (column 6, lines 15-31) which distributes the video for local users ...". Applicants respectfully disagree.

While it is accepted that the Operations Center of Hendricks is able to send control data to a cable head end, there is absolutely no disclosure whatsoever in Hendricks of this control data including an offset value for staggering first and second onward data streams by the head end. The passage cited by the Examiner (in particular column 4, lines 14-24) merely discloses that the control information provides the operations center with the ability to change allocation of programs across physical channels, change video on demand programs available, update menu information, reprogram menu formats and menu flow, and change or augment a package program signal sent or programs made available to a particular region on the country. There is no disclosure of providing control data indicating an offset value for the head end staggering onward data streams in time. The closest Hendricks gets to the present invention is at column 9, lines 45-48 where it is disclosed that the cable head ends may store programs in local file servers for later distribution. However, Hendricks is entirely silent in respect to the claimed feature of the control data indicating an offset value.

The advantage of the present invention is that by providing control data indicating an offset value, the content providing server need only transmit one copy of the content to the distribution server and the distribution server is able to staggercast (and multicast) the content as indicated by the offset value. This conserves bandwidth
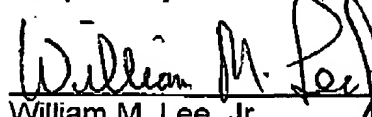
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between the content providing server and the distribution server, enables the distribution server to be managed by a third party if desired, and reduces the load on the content providing server. The Examiner has pointed out that the advantage stated in the previous response (namely conservation of bandwidth between the content providing server and distribution server) is not a claimed feature of the present invention. However, it is not necessary to claim advantages of an invention but merely the technical features which give rise to those advantages, providing they are novel and non-obvious. Applicant submit for the above reasons that the features of claim 1 are novel and non-obvious over the prior art references cited by the Examiner. Even if one skilled in the art were to combine those references (for which there is no suggestion or motivation) he or she would not arrive at a system disclosing all of the features of claim 1. In particular, he or she would not arrive at a system in which control data indicating an offset value is received by the distribution server.

Applicants submit that the Examiner's rejection of all of the remaining claims is moot in view of the above since those claims include corresponding limitations to claim 1.

Accordingly, applicants submit that the application is now in order for allowance and solicit such action.

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Respectfully submitted,

William M. Lee, Jr.
Registration No. 26,935
Barnes & Thornburg LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
(312) 759-5646 (fax)

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